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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,324	09/24/2001	Takanori Ishida	2001-1440A	5338

513 7590 05/20/2005

WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

EXAMINER

HARRELL, ROBERT B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/960,324

Applicant(s)

ISHIDA ET AL.

Examiner

Robert B. Harrell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20020103&20040406.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: see attached Office Action.

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1. Claims 1-7 are presented for examination.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
3. Only English version equivalent in the applicant's submitted Prior Art, as indicated on PTO FORM 1449s, have been considered by examiner.
4. There is no brief description of figures 14(a) and 14(b) in the Brief Description Of The Drawings. Nor is there any individual mention for figures 11(a) and 11(b) in the Brief Description Of The Drawings as was so done for figures 10(a) and 10(b), as examples. Thus the Drawings and the Specification are objected to for at least these reasons. Correction is required to be fully response to this Office Action.
5. Claims 1-7 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The scope of meaning of the following claim language is not clear:
 - a) "the basis"--claims 1-7;
 - b) "the respective image sequences"—claims 1-7.
6. As to 22 (a) above, these are but a few examples of numerous cases where clear antecedent bases are lacking and not an exhausting recital. Any other term(s) or phrase(s) over looked by examiner and not listed above which start with either "the" or "said" and do not have a single proper antecedent bases also is indefinite for the reasons outlined in this paragraph. Also, these are but a few examples where term(s) or phrase(s) are introduced more than once without adequate use of either "the" or "said" for the subsequent use of the term(s) or phrase(s). Moreover, multiple introduction of a term, or changes in tense, results in a lack of clear antecedent bases for term(s) or phrase(s) which relied upon the introduced term. Failure to correct all existing cases where clear antecedent bases are lacking can be viewed as non-responsive. Nonetheless, should a response yield all claims allowable short *a few* cases where clear antecedent bases are lacking within the claims, a preemptive authorization to enter an examiner's amendment to the record to correct such would accelerate a notice of allowance over a final rejection. Such could be added at the end of an applicant's response with the following statement: "Examiner is hereby authorized, without the need of further contact by examiner, to enter an Examiner's Amendment to correct any cases where antecedent bases are lacking." if the applicant so elects. This does not diminish the applicant's requirement to correct all such cases not so listed in the example few given above nor prohibit any amendments after a notice of allowance by the applicant.

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7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-7 are rejected under 35 U.S.C. 102(a) and/or 35 U.S.C. 102(b) as being anticipated by the applicant's admitted prior art on pages 1-12 and figures 11(a) through 14(b) of the specification of this application.

9. Since no dates were provided by the applicant with respect to the admitted prior art of pages 1-12 and figures 11(a) through 14(b) and until such time the applicant demonstrates by rebuttal and/or evidence, examiner assumes these are classified as "PRIOR ART" within the meaning(s) of 35 U.S.C. 102.

10. Prior to addressing the grounds of the rejections below, should this application ever be the subject of public review by third parties not so versed with the technology (i.e., access to IFW through Public PAIR (as found on <http://portal.uspto.gov/external/portal/pair>)), this Office action will usually refer an applicant's attention to relevant and helpful elements, figures, and/or text upon which the Office action relies to support the position taken. Thus, the following citations are neither all-inclusive nor all-exclusive in nature *as the whole of the reference is cited* and relied upon in this action as part of the substantial evidence of record. Also, no temporal order was claimed for the acts and/or functions.

11 Per claim 1, the applicant's admitted prior art taught an image decoding apparatus (i.e., see figure 12) for decoding image data including plural image sequences (i.e., "Vs"), said apparatus comprising:

a) a memory (i.e., 211, 212, 213, and 214 of figure 12) having plural memory regions (i.e., 211 was a memory region in figure 12) corresponding to the respective image sequences, and being operable to hold decoding data (i.e., "parameter" in figure 12) to be used when the image data of the respective image sequences were decoded;

b) a memory region selector (i.e., 221, 222, 223, 224, and 230 of figure 12 which operated as a parameter storage position decision unit) operable to select/decide one of the memory regions in the memory (i.e. per connection via 232 to 235 of figure 12), said memory region corresponding to a target image sequence to be decoded, on the basis of image identifying information (i.e., "Id" in figure 12) which indicates the target image sequence;

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- c) a decoder (i.e., 240 and 200b in figure 12) having a register/temporary memory (i.e., 200b in figure 12) operable to hold the decoding data of the target image sequence, and perform decoding on the image data of the target image sequence on the basis of the decoding data stored in the register; and,
- d) a decoding data transfer unit (i.e., the link marked "Dp" in figure 12) operable to transfer the decoding data of the target image sequence between the memory region selected by the memory region selection unit and the register in the decoder.

12 Per claims 2-7, these claims do not teach or define above the correspondingly recited first claim and thus claims 2-7 are also rejected for the same reasons given above.

13 The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this office action:

a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103, examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligations under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. 102 (f) or (g) prior art under 35 U.S.C. 103.

15. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art on pages 1-12 and figures 11(a) through 14(b) of the specification of this application.

16. Since no dates were provided by the applicant with respect to the admitted prior art of pages 1-12 and figures 11(a) through 14(b) and until such time the applicant demonstrates by rebuttal and/or evidence, examiner assumes these are classified as "PRIOR ART" within the meaning(s) of 35 U.S.C. 102.

17. That which was anticipated was obvious and thus the above grounds carry into these.

18. The applicant may argue that the applied Prior Art did not cover the claimed register or temporary memory. However, reading the claims in their broadest reasonable interpretation, that which was stored in memory 200b was apart of the claimed decoding data at least in part as covered by page 10 (second paragraph) of this application's

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specification. Nonetheless, it would have been obvious to add register(s) into the decoding unit 240 to cache or latch the decoding data for the period of time required to use that data by the decoding unit 24 in figure 12.

19. It would have been obvious to one skilled in the data processing art to have added storage to the decoding unit 240 of figure 12 since such would cache/latch the data for quicker access and to hold the data for the duration of the decoding process.

20. The essence of this rejection under 35 U.S.C. 103 is that decoding unit 240 could obviously had storage rather than only discrete combinatorial logic even if such storage was for nothing more then to just hold data for a limited period of time while the decoding function was processed by the decoding unit 240 of figure 12 as suggested on page 10 (second paragraph) of this application's specification since such stated "When this decoding is completed" and "completed" indicates a time duration which data must be latched for that duration. As the applicant submitted this Prior Art, the applicant is required to provide further details as to the internal structure of decoding logic 240 if such information is available to the applicant or can be made available to the applicant under the Duty of Disclosure.

21. Also viewing figure 12, and the corresponding text, registers 211, 212, 213, and 214 were registers/temporary memory, while the source from which the parameters are obtained and stored therein was an addressable memory with a selector or parameter storage position decision unit. In other words, the system main memory held the parameters which were selected and then stored into the registers 211, 212, 213, and 214 since those parameters must obviously have originated from a source.

22. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (571) 272-3895. The examiner can normally be reached Monday thru Friday from 5:30 am to 2:00 pm and on weekends from 6:00 am to 12 noon Eastern Standard Time.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B. Harvey, can be reached on (571) 272-3896. The fax phone number for all papers is (703) 872-9306.

25. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

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A handwritten signature in black ink, appearing to read 'R. Harrell', written in a cursive style.

ROBERT B. HARRELL
PRIMARY EXAMINER
GROUP 2142